

REMARKS

This application has been reviewed in light of the Office Action dated May 12, 2006. Claims 23-34 are presented for examination, of which Claims 23, 26, 28 and 34 are in independent form. Claims 23, 25, 26, 28 and 34 have been amended to more clearly define the scope of Applicants' invention. Favorable reconsideration is requested.

Claims 23-26 and 28-34 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,557,736 (*Hirosawa et al.*).

As pointed out in the March 11, 2005 Amendment, although Claims 23-26 and 28-33 were rejected as being anticipated by *Hirosawa et al.*, the Office Action in discussing the rejection of Claim 23 cites passages and figures from what appears to be U.S. Patent No. 5,859,956 (*Sugiyama et al.*). For example, the Office Action at page 3, lines 5 and 6, refers to Figures 75 and 76, and column 30, lines 48-67, which Applicants assumes refers to the *Sugiyama et al.* patent because the *Hirosawa et al.* patent contains only 18 figures and 22 columns. Applicants in this Amendment have addressed the rejection of Claim 23 as being anticipated by *Hirosawa et al.* and direct the Examiner to the Amendment filed on July 21, 2004, for arguments on the patentability of Claim 23 over *Sugiyama et al.*

As shown above, Applicants have amended independent Claims 23, 26, 28 and 34 in terms that more clearly define what they regard as their invention. Applicants submit that these amended independent claims, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 23 is a data processing apparatus connectable to a LAN. The apparatus includes a receiver adapted to receive data sent

by a sender, the data processing apparatus being set by the sender as a destination of the data, a storage unit adapted to store the data received by the receiver, and an identification unit adapted to obtain user information about a user for whom the data received by the receiver was received. The apparatus also includes a transfer unit adapted to transfer the data received by the receiver from the data processing apparatus to a terminal connected to the LAN through the LAN when it is impossible to store the data in the storage unit and a generation unit adapted to generate a predetermined notification, based on the user information obtained by the identification unit, to notify the user that the data has been transferred by the transfer unit from the destination to another destination, the notification including information indicating the terminal to which the data is transferred by the transfer unit. The apparatus further includes a sending unit adapted to send the predetermined notification generated by the generation unit to the user corresponding to the user information obtained by the identification unit as mail.

Among other notable features of Claim 23 are (1) a receiver adapted to receive data sent by a sender, the data processing apparatus being set by the sender as a destination of the data and (2) transferring the data received by the receiver from the data processing apparatus to a terminal connected to the LAN through the LAN when it is impossible to store the data in the storage unit, and sending a predetermined notification as mail to the user who corresponds to the user information obtained by the identification unit, to notify the user that the data has been transferred by the transfer unit.

Hirosawa et al. relates to a computer system for executing a job by utilizing an electronic mail system connected via a public telephone network 4. *Hirosawa et al.* allows a user of the electronic mail system to recognize a condition of an execution result of a job performed in

the computer system and a job execution result. The job execution results are available from an output device for the user. When a mail processing unit of the computer system analyzes a mail statement about the job execution derived from the electronic mail system, and the job execution derived from the electronic mail system, and the job execution is completed, the mail processing unit sends to the electronic mail system a mail statement about the completion of the job execution containing information about fail/safe execution result. Upon receiving this report, the user designates the output device into a response mail so as to output the job execution result from the designated output device.

The Examiner cites column 1, lines 45-49, Claim 1, column 10, lines 18-33 and column 17, lines 29-35 as teaching the transfer unit of Claim 23. Applicants disagree. Column 1, lines 45-49 merely discusses outputting a job execution completion report and a job execution result requested by the user; column 10, lines 18-33 merely discusses that when there is an abnormal end of a job, the user can obtain the job execution result by sending via an electronic mail terminal an electronic mail statement used to obtain the list of the job execution results; and column 17, lines 29-35 discusses designating an output designation from an electronic mail system which has received a job completion report and transferring the result of the job execution stored in a memory to the designated output device. However, Applicants have found nothing in these passages that would teach or suggest “a transfer unit, adapted to transfer the data received by said receiver from said data processing apparatus to a terminal connected to the LAN through the LAN when it is impossible to store the data in said storage unit,” as recited in Claim 23.

Applicants also submit that *Hirosawa et al.* fails to teach or suggest the

generation unit recited in Claim 23 for the same reasons discussed in the March 11, 2005 Amendment.

Further, because *Hirosawa et al.* fails to disclose the transfer unit and the generation unit of Claim 23, Applicants submit that *Hirosawa et al.* also fails to teach or suggest sending the predetermined notification generated by the generation unit to the user corresponding to the user information obtained by the identification unit as mail, as further recited in Claim 23.

For at least the above reasons, Applicants submit that Claim 23 is clearly patentable over *Hirosawa et al.*

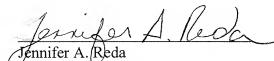
Independent Claim 26 is a method claim corresponding to apparatus Claim 23, and is believed to be patentable over *Hirosawa et al.* for at least the same reasons as discussed above in connection with Claim 23. Additionally, independent Claims 28 and 34 are believed to be allowable over *Hirosawa et al.* because they recite *inter alia*, transferring data stored in a storage unit from the data processing apparatus to a terminal on the LAN through the LAN, and sending a report mail indicating that the received data was transferred. These recitations are similar in many relevant respects to those emphasized above in connection with Claim 23. Accordingly, Claims 28 and 34 are believed to be patentable over *Hirosawa et al.*, for reasons substantially the same as those discussed above in connection with Claim 23.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,


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